



City to back quarry fight at OMB

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Published on Feb 04, 2011

Pending council approval, the City of Hamilton will seek party status in opposition to the proposed Flamborough Quarry at the upcoming Ontario Municipal Board (OMB) hearing and pre-hearings. Hamilton's planning committee, chaired by Ward 14 councillor Robert Pasuta, endorsed the move during an in camera session last Tuesday.

"We're thrilled with the decision; it's terrific news," said Carlisle area resident Graham Flint, chair of FORCE (Friends of Rural Communities and the Environment), a citizens' group opposing the St. Marys Cement (SMC) plan to establish a quarry near the corner of 11th Concession Road East and Milborough Line in northeast Flamborough.

The aggregate company filed an appeal with the OMB last spring about a month after then Minister of Municipal Affairs and Housing Jim Bradley issued a Ministerial Zoning Order (MZO) on the quarry site, declaring the land to remain zoned as rural and conservation management. SMC appealed to the OMB to amend or revoke the MZO in hopes of following through with its plan.

Flint said a pre-hearing has been scheduled for Friday, April 1 at the McMaster University Centre on Main Street West in Hamilton. At the meeting, all parties taking part in the discussions will be assigned. These will include SMC and the Ministry of Municipal Affairs and Housing (MMAH) and other interested parties, including FORCE and the City of Hamilton.

Flint said the committee's decision is consistent with the city's stance on the quarry since the proposal first surfaced in the spring of 2004. "It's reassuring to see the city government support its citizens' concerns to this extent."

He also welcomed another committee recommendation proposing that the minister of municipal affairs and housing be asked to notify the OMB that the request to revoke or amend the zoning order "is, or is likely to, adversely affect a matter of provincial interest" – a move that, if declared a minimum of 30 days before the first formal hearing date, would sound the death knell for the quarry because the Ontario Cabinet would then be in a position to overturn an OMB decision that it doesn't agree with.

The pre-hearing sessions will determine the scope of the hearing and its issues. Flint anticipates the formal hearing will begin in the fall or perhaps early next year.

Committee members voted to hire outside legal help, if necessary, funded through the 2011 budget, year-end corporate surpluses and/or the tax stabilization reserve.